

BOARD OF TRUSTEES MEETING MINUTES

May 12, 2014
** District Office**
5:00 p.m.

I. CALL TO ORDER

The May 12, 2014, Board of Trustees meeting was called to order by Chair Jan Wilking at 5:00 p.m. Other Board members in attendance were Mary Ann Pack, Richard Pick and Robert Richer. Mayor Thomas was excused. SBWRD staff in attendance were Mike Luers, Roger Robinson, Bryan Atwood, Brian Passey, Kevin Berkley and Kim Dudley. Also in attendance were Craig Ashcroft, Carollo Engineers and Jeremy Cook, Parsons, Kinghorn and Harris.

II. CONSENT AGENDA

- A. Approval of Board Meeting Minutes for April 21, 2014
- B. Substantial Completion Approval
Thaynes Creek Ranch Estates

Mr. Pick made the motion to approve the Consent Agenda, Mr. Richer seconded and the motion carried with Ms. Pack, Mr. Richer, Mr. Pick and Mr. Wilking voting in the affirmative.

III. PUBLIC INPUT – There was no public input.

IV. APPROVAL OF EXPENDITURES – Bills in the Amount of \$494,211.15

Mr. Pick made the motion to approve the Expenditures, Ms. Pack seconded and the motion carried with Mr. Richer, Ms. Pack, Mr. Pick and Mr. Wilking voting in the affirmative.

V. SUBDIVISION PROJECTS

Willow Draw Sewer Phase 2 – 90.45 Res

With the ongoing construction of the Canyons Golf Course in the Willow Draw area, a wastewater main line is being extended within the golf course in order to serve future developments that will be adjacent to the course. In order to coincide with the anticipated construction schedule of the course, the applicant has already begun construction of the first phase of the Willow Draw wastewater line. This second phase will bring the public system to its anticipated terminus.

Staff recommended approval of the subdivision projects.

Mr. Richer made the motion to approve the Subdivision Projects, Mr. Pick seconded and the motion carried with Ms. Pack, Mr. Pick, Mr. Richer and Mr. Wilking voting in the affirmative.

Estimated LEA REs Year to Date: # Above Splitter 0; # ECWRF 183; # SCWRF 91; Total 274
Proposed this Meeting: # Above Splitter 0; # ECWRF 90.45; # SCWRF 0; Total 90.45

VI. DISTRICT MANAGER

- A. Action Item – Dream Peak (AKA Cloud Dine) Restaurant - Addendum to Temporary Private Lateral Variance Agreement

Mr. Atwood discussed with the Board the Dream Peak (AKA Cloud Dine) Restaurant – First Addendum to Temporary Private Lateral Variance Agreement/

In September 2010, the Board of Trustees approved a Temporary Variance Agreement which allowed the Dream Peak Restaurant at the top of one of the Canyon Ski Resort lifts to be served by a long private sewer lateral that crossed other private properties. District policy is to not allow a private lateral from one private property to cross another private property to connect to the public wastewater

system. The variance was approved with the understanding that when the restaurant expanded, or when an adjacent property was developed for residential lots, a public sewer line would be extended in a new road required for the development and would provide access to the public wastewater system for the restaurant.

Summit County is requiring the Dream Peak Restaurant owner to upgrade from the current temporary structure to a permanent structure. The County approved the temporary structure in 2010 with a requirement that the temporary structure be replaced within two years of the approval. The County is now enforcing that requirement which triggers the requirement in the Variance Agreement to extend the public sewer.

At the time the variance was granted, the Developer of the adjacent property and the owner of the restaurant anticipated that construction of the new road in which the public sewer line would be located would occur in 2011. However, that construction has not occurred and is now not anticipated for some time.

The owner of the Dream Peak Restaurant has requested that the Board approve an addendum to the Variance Agreement which would allow the restaurant to continue using the existing private lateral until such time as the adjacent property is developed and the road in which the public sewer line will be located is constructed.

After the discussion the Board recommended the following motion.

Mr. Richer made the motion to approve the Dream Peak (AKA Cloud Dine) Restaurant - Addendum to Temporary Private Lateral Variance Agreement - First Addendum to the Variance Agreement with the deadline October 15, 2016 (the end of the construction season in 2016) instead of December 31, 2016. Also, included is a \$1,000 a day in damages a month if the agreement is not fulfilled. Mr. Pick seconded and the motion carried with Ms. Pack, Mr. Pick, Mr. Richer and Mr. Wilking voting in the affirmative.

B. Information Items

1. Financial Statement
2. Impact Fee Report

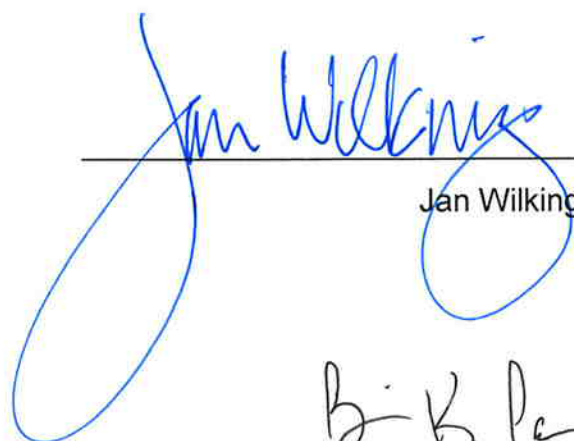
Mr. Luers reviewed with the Board the WEAU Digested News stating that on page 19 was the technical program that our employees attended at the WEAU conference on Wednesday, April 30, 2014 – Friday, May 2, 2014. He also mentioned an article on Gordon Evans a former employee of SBWRD written by Gary Hill a current employee for their review.

VII. FUTURE AGENDA ITEMS

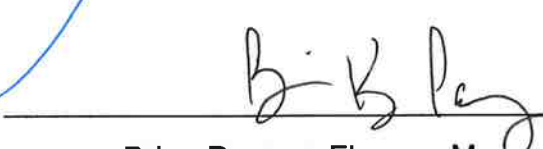
- A. Projects
- B. Operations
- C. Finance
- D. Governmental Matters

VIII. ADJOURN

Ms. Pack made the motion to adjourn at 6:02 p.m., Mr. Pick seconded and the motion carried with Mr. Pick, Mr. Richer, Ms. Pack and Mr. Wilking voting in the affirmative.



Jan Wilking, Chairman



Brian Passey, Finance Manager/Clerk